

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MERRILL LYNCH BUSINESS FINANCIAL
SERVICES INC.,

Plaintiff,

-against-

ARTHUR KUPPERMAN; E. ROSS BROWNE;
PAULETTE KRELMAN; PGB
INTERNATIONAL, LLC; and J.P. MORGAN
CHASE BANK, NATIONAL ASSOCIATION,

Defendants.

Case No. 06-Civ-4802 (DMC)

**DECLARATION OF
KIMBERLY FEDORSKI**

I, KIMBERLY FEDORSKI, declare pursuant to 28 U.S.C. § 1746 under penalty of perjury that the following is true and correct:

1. The facts stated herein are based upon my personal knowledge.
2. In 2005, I was a Vice President and Senior Renewal Underwriting Officer at Merrill Lynch Business Financial Services, Inc. ("MLBFS").
3. In the spring of 2005, I assumed responsibility for renewing the Working Capital Management Account ("WCMA") line of credit that MLBFS had extended to PITTRA G.B. International, Inc ("PITTRA").
4. My communications with PITTRA were through Arthur Kupperman ("Kupperman").

The 2004 Audit Letter

5. In or about May 2005, MLBFS began processing the renewal of PITTRA's WCMA line of credit (the "2005 Agreement").

6. MLBFS conditioned its execution of the 2005 Agreement upon its review of PITTRA's audited financial statements revealing a financial condition of PITTRA satisfactory to MLBFS.

7. In or about May 2005, I reviewed the internal financial statements for the fiscal years ending September 30, 2004 and 2003, which purportedly had been audited by APM as reflected in the "Independent Auditor's Report" dated December 22, 2004, that Kupperman had delivered to MLBFS on or around February 1, 2005. Those documents are attached hereto as Exhibit A.

8. Relying upon the accuracy and veracity of the information contained in the financial statements, as well as the representation that the statements had been audited by APM, which purportedly had found that the financial statements were fair representations of PITTRA's financial position, in or about July 2005, MLBFS renewed the WCMA line of credit.

The 2005 Krelman Documents

9. In or about May 2005, MLBFS conditioned execution of the 2005 Agreement upon its receipt and review of Personal Financial Statements by PITTRA's individual guarantors and the PITTRA officers' countersignature of the letter from MLBFS dated July 7, 2005 addressed to PITTRA regarding "Amendment to Loan Documents."

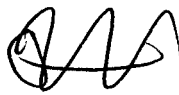
10. On or around May 31, 2005, Kupperman provided to MLBFS a document that he represented was the Personal Financial Statement of Paulette Krelman dated May 26, 2005, attached hereto as Exhibit B.

11. In or about July 2005, Kupperman delivered to MLBFS a countersigned copy of the letter from MLBFS dated July 7, 2005 addressed to PITTRA regarding "Amendment to Loan Documents," purporting to bear Krelman's signature and attached hereto as Exhibit C.

12. Upon its receipt and review of these documents, and in reliance upon the representations contained therein, on or around July 7, 2005, MLBFS agreed to a renewal of PITTRA's WCMA line of credit.



Pursuant to 28 U.S.C. 1746, I hereby declare under penalty of perjury that the foregoing is true and correct.



Kimberly Fedorski

Executed on September 29, 2009